

Accordingly, the Metropolitan Government respectfully moves to be dismissed as a defendant to this lawsuit. The Metropolitan Government invites the Court to consider the memorandum of law filed contemporaneously with and in further support of this motion.

Respectfully submitted,

THE DEPARTMENT OF LAW OF
THE METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY
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s/Keli J. Oliver

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Certificate of Service

This is to certify that a copy of the foregoing has been forwarded, via the electronic filing system, to Larry L. Crain, 5214 Maryland Way, Suite 402, Brentwood, TN 37027, on this the 25th day of June, 2009.

s/Keli J. Oliver

Keli J. Oliver